

number.

30. (Amended) A method of providing content, comprising:
selecting a set of segments of content from a group of segments to be protected wherein
the set does not include all segments of the group;
protecting the segments of the set, but not the other segments, through visual scrambling;
and
transmitting the group of segments.

REMARKS

Claims 1-30 are in the applications of which claims 1, 12, 19, 26, 28, and 30 are in independent form. Amendments are shown in an appendix below.

Objection to the drawings. The proposed drawing correction filed on March 1, 2002 was approved. However, the coversheet of the most recent Office action indicates the drawings are objected to. However, it is believed that the drawings should not be objected to. For example, the top margin of the sheet with FIG. 13 is now correct. If the drawings continue to be objected to, please state the nature of the objection.

35 U.S.C. § 102(b): Thomas et al. Claims 1, 9, 11, 12, 19, 24, 25, 26, and 28 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Thomas et al (5,425,100).

It is believed that the present invention and Thomas et al. are significantly different. The claims have been amended to more clearly state the invention. A context into which the present invention may reside is explained in the application on page 5, lines 6-12:

"The invention concerns partially protecting content to be provided to remote computers, only some of which will have the ability and permission to undo the partial protection and produce the entire content remotely. There are a variety of reasons to partial protect content and allow restricted undoing of the protection. For example, under one use, the invention includes placing vacation videos on the World Wide Web, but protecting some segments, such as those showing children. Then, certain family members or friends can see all segments, while other members of the public can see only the undo protection of segments."

For example, as amended, claim 1 reads:

"selecting a set of segments of content from a group of segments to be protected wherein the set does not include all segments of the group;

protecting the segments of the set, but not the other segments of the group, to prevent the protected segments from being properly reproduced unless the protection is undone with

assistance of a correct key that is not generally available; and transmitting the group of segments.”

Thus, from claim 1, it can be seen that only part of the segments are protected and they are protected with a protection that is undone with the assistance of a key that is not generally available. Thomas et al. does not teach anything like this.

By contrast, Thomas et al. is concerned with a way “to measure television (TV) ratings.” (Col. 1, line 18.) To accomplish this purpose, the invention relates “to a method and apparatus for monitoring broadcast signals, and more particularly to a universal broadcast code, methods and apparatus for encoding and monitoring a signal.” (Col. 1, lines 11-14.) “In brief, the objects and advantages of the present invention are achieved by a multi-level encoded signal monitoring system and a universal broadcast code (UBC). A plurality of encoders are provided for encoding a predetermined program source signal. The program source signal has a plurality of sequential segments. Each encoder is arranged for selectively encoding information on unique specified segments.” (Col. 1, line 63 to col. 2, line 2.)

There is nothing in Thomas et al. that suggests that encoding provides protection to the group of segments. Indeed, many types of encoding provide no protection because decoding is readily understood. For example, MPEG provides encoding, but does not provide protection because decoding of MPEG signals is readily known.

The Office action, p. 2, states:

“4.1.1 In regard to claims 1, 9, 11, 12, 19, 24, 25, 26 & 28, Thomas et al (‘100) disclose the breaking up of content, e.g., a video and audio signal, into segments. The segments are then selectively protected by encoding/scrambling the segments. Finally, the encoded information is transmitted to the user. The user then may use the correct key to decrypt the encrypted segments of the transmitted content so that the user may use the content.”

However, the Office action does not provide any citations to Thomas et al. that support the assertions in the Office action. In fact, Thomas et al. does not say the segments are selectively protected by encoding/scrambling the segments and it does not say a key is used to decrypt the encrypted segments. The words “scrambling,” “key,” and “decrypt” and related words are not used at all in Thomas et al. There is no concept of protection in Thomas et al., only the concept of encoding. As noted above, there can be encoding without protection (e.g., MPEG encoding is easily decoded and provides not protection).

The Office action, p. 5, states:

“(C) in regard to using scrambling, keys, and decryption, since:

- (1) col. 2, lines 3-10, clearly indicates that the encoding of Thomas et al. (‘100) is to provide a level of service to a recipient; and
- (2) in the environment of encryption”

However, col. 2, lines 3-10, says nothing about encryption. Thomas et al. says nothing about encryption. It is not trying to solve the same problem as the present invention and it does not disclose or teach the elements of the claims.

Claim 12 recites:

“receiving a group of segments of content including a set of segments that does not include all segments of the group, and wherein the set, but not the other segments of the group, have been protected to prevent the protected segments from being properly reproduced without undoing the protection with assistance of a correct key that is not generally available;”

Thomas et al. clearly does not teach this.

Claims 19 and 26 include limitations similar to claim 1 and claim 28 includes limitations similar to claim 12. The other listed claims are dependent claims on one of these claims. Accordingly, the rejections should be withdrawn.

35 U.S.C. § 103(a): Thomas et al. Claims 2-8, 10, 13-18, 20-23, 27, 29, and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Thomas et al (5,425,100) as applied to claims 1, 9, 11, 12, 19, 24, 25, 26, and 28 above and further in view of obvious variations.

Claims 2-8, 10, 13-18, 20-23, 27, and 29 are each dependent on one of the claims rejected under section 102(b) above. As explained above the independent claims are allowed. The dependent claims are also allowable for at least the same reasons. Further, claim 30 recites:

selecting a set of segments of content from a group of segments to be protected wherein the set does not include all segments of the group;
protecting the segments of the set, but not the other segments, through visual scrambling;
and
transmitting the group of segments.”

This is not taught by Thomas et al. which is addressing a very different problem.

Conclusion.


Because Thomas et al. is significantly different than the present invention, it is believed that the rejections should be withdrawn.

Note that because it is not specifically argued that certain limitations of a claim are not in the references is not a concession that a reference or combination of references includes the limitations. That a particular statement made in the Office action is not contradicted is not a concession that it is agreed with. Further, merely because the patentability of every dependent claim is not separately argued is not a concession that there are not additional reasons for patentability of these dependent claims.

Applicant believes the application is in condition for allowance and respectfully requests the same.

Respectfully submitted,

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Amendments to the application are shown in an Appendix beginning on the following page.

APPENDIX:

Please amend the application as follows.

VERSION WITH MARKINGS TO SHOW AMENDMENTS

1. (Amended) A method of providing content, comprising:
selecting a set of segments of content from a group of segments to be protected wherein the set does not include all segments of the group;
protecting the segments of the set, but not the other segments of the group, to prevent the protected segments from being properly reproduced unless the protection is [with protection that can be] undone with assistance of a correct key that is not generally available; and
transmitting the group of segments.
12. (Amended) A method of receiving and processing content, comprising:
receiving a group of segments of content including a set of segments that does not include all segments of the group, and wherein the set, but not the other segments of the group, have been protected to prevent the protected segments from being properly reproduced without undoing the protection with assistance of a correct key that is not generally available;
[identifying a set of segments in the group that are protected if a correct key is received;]
undoing the protection if the correct key is received; and
playing the group of segments seamlessly with a media player.
13. (Amended) The method of claim 12, wherein [identifying] at least some of the protected segments [involves identifying segments that] have been protected through visually scrambled.
14. (Amended) The method of claim 12, wherein [identifying] at least some of the protected segments [involves identifying segments that] have been protected through bit [encrypted] encryption.
19. (Amended) A content providing system, comprising:
storage to hold content divided into segments;
a user interface; and
circuitry and software cooperating with the user interface to select a set of the segments to be protected from a group of segments, wherein the set does not include all segments of the group, and to protect the set of segments, but not the other segments of the group, to prevent the protected segments from being properly reproduced unless the protection is [with protection that

can be] undone with assistance of a correct key that is not generally available.

26. (Amended) An article comprising:

a machine readable media including instructions that when executed cause a content providing system to:

select a set of segments of content from a group of segments to be protected wherein the set does not include all segments of the group;

protect the segments of the set with, but not the other segments of the group, to prevent the protected segments from being properly reproduced unless the protection is [protection that can be] undone with assistance of a correct key that is not generally available; and

transmit the group of segments.

28. (Amended) An article comprising:

a machine readable media including instructions that when executed cause a content providing system to:

receive a group of segments of content including a set of segments that does not include all segments of the group, and wherein the set, but not the other segments of the group, have been protected to prevent the protected segments from being properly reproduced without undoing the protection with assistance of a correct key that is not generally available;

[identify a set of segments in the group that are protected;]

undo the protection if the correct key is received; and

play the group of segments seamlessly with a media player.

29. (Amended) The article of claim 28, wherein [undoing the protecting of the selected segments involves a] the key [including] includes a remote computer number.

30. (Amended) A method of providing content, comprising:

selecting a set of segments of content from a group of segments to be protected wherein the set does not include all segments of the group;

protecting the segments of the set, but not the other segments, through visual scrambling [with protection that can be undone]; and

transmitting the group of segments[.],

[wherein selecting the set involves selecting at least some of the set for visual scrambling and protecting the set includes visual scrambling those segments selected for visual scrambling,

wherein visual scrambling involves using a key, and wherein selecting the set involves designating those segments to be protected.]